

JUN 23 2009

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION

Sealed
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to this instrument are
prohibited by court order.

USA Ex Rel. SUSAN BELGARD HODNETT)	Civil Action No. 02-2206
and Dr. William Overdyke)	
)	<u>FILED UNDER SEAL</u>
v.)	
)	
STATE OF LOUISIANA, LSU HEALTH)	JUDGE WALTER
SCIENCES CENTER, DR. J. A. ALBRIGHT)	MAGISTRATE JUDGE HORNSBY
and DR. KALIA SADASIVAN)	

**UNITED STATES' NOTICE OF
INTERVENTION AND JOINT STIPULATION OF DISMISSAL**

COMES NOW the United States of America and Relators, Susan Belgard Hodnett and Dr. William Overdyke ("Relators"), by and through their respective undersigned attorneys, and hereby stipulate as follows:

1. Pursuant to the False Claims Act, 31 U.S.C. §§ 3730(b)(2) and (4), the United States notifies the Court that it is intervening in this action.
2. The United States and Relator have executed a written agreement with defendants in full settlement of the United States' and the Relator's claims and causes of action against defendants as set forth in the Complaints, except that Relators have expressly reserved 1) all rights they may have under the whistleblower provisions of the False Claims Act (31 U.S.C. § 3730(h)) in connection with Relators' respective employment relationships with Defendants, 2) any and all claims for fees and costs against defendants, and 3) any and all claims based upon Louisiana State law. The United States has also made certain reservations set forth fully in the Settlement Agreement.
3. Relators agree that the amount and terms of the settlement reached by the parties are fair, adequate and reasonable pursuant to 31 U.S.C. § 3730 (c)(2)(B).
4. The United States and Relators executed a written agreement in full settlement of any claims the Relators may have under 31 U.S.C. § 3730(d)(1) for a share of the proceeds of the government's settlement with defendants.

5. Accordingly, the United States and Relators request that, pursuant to Fed. R. Civ. P. 41(a) and 31 U.S.C. § 3730(d)(1), the claims set forth in the Complaints be dismissed with prejudice as to the State of Louisiana, the Board of Supervisors of Louisiana State University Agricultural and Mechanical College and Louisiana State University Health Science Center in Shreveport; provided, however, that a) the Relators' claims under the whistleblower provisions of the False Claims Act (31 U.S.C. § 3730(h)) in connection with Realtors' respective employment relationships with Defendants, for costs and/or fees as against defendants are reserved and any and all claims of Relators based upon Louisiana State law, and should not be dismissed; and (b) that the Court shall retain jurisdiction to enforce the terms of the settlement agreement by and between the parties, and (c) that said dismissal is without prejudice as to any claims the United States may have against individuals.

6. The United States further requests that the Relators' Complaints, this Notice and Joint Stipulation of Dismissal, and the attached proposed Order be unsealed. The United States requests that all other papers on file in this action remain under seal because in discussing the content and extent of the United States' investigation, such papers are provided by law to the Court alone for the sole purpose of evaluating whether the seal and time for making an election to intervene should be extended.

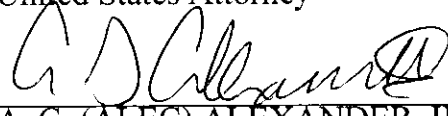
A proposed Order is submitted herewith.

Dated this 23 day of June, 2009.

Respectfully submitted,

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United States Attorney

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